

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LARRY G. JUNKER,

Plaintiff,

v.

MEDICAL COMPONENTS, INC., *et al.*,

Defendants.

CIVIL ACTION

No. 13-4606

ORDER

AND NOW, this 21st day of December, 2016, upon consideration of Plaintiff's "Motion to Dismiss Defendants' Third Amended Answer and Counterclaims" (Doc. No. 143), Defendants' Response in opposition thereto (Doc. No. 144), and Plaintiff's Reply (Doc. No. 148), and for the reasons set forth in this Court's accompanying Memorandum Opinion, it is hereby **ORDERED** that Plaintiff's Motion to Dismiss is **GRANTED in part** and **DENIED in part** as follows:

- The Motion is **GRANTED** such that "Footnote 1" within Defendants' Third Affirmative Defense is **STRICKEN**.
- The Motion is **GRANTED** such that "Footnote 3" within Defendants' First Amended Counterclaim is **STRICKEN**.
- The Motion is **GRANTED** such that the first bulleted sub-paragraph within Paragraph 10 of Defendants' First Amended Counterclaim is **STRICKEN**.
- The Motion is **GRANTED** such that Paragraph 14 of Defendants' Second Amended Counterclaim is **STRICKEN**.
- The Motion is **DENIED** in all other respects.

It is further **ORDERED** that a status telephone conference will be held on **Wednesday, January 4, 2017 at 3:30 p.m. EST** to discuss the remaining adjudication of this case. Plaintiff's counsel shall initiate the conference call with defense counsel prior to calling Chambers.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.